

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GARY CRUZ, Individually and on behalf
of all others similarly situated,

Plaintiff,

v.

TD BANK, NA,

Defendant.

CIVIL ACTION NO.
10 – CV – 8026 (PKC)

**MOTION TO ADMIT COUNSEL
PRO HAC VICE**

FILED
U.S. DISTRICT COURT
2011 JAN 14 PM 2:34
S.D. OF N.Y.


Pursuant to rule 1.3(c) of the Local Rules of the United States District Courts for the
Southern and Eastern Districts of New York, I, Justin Joseph D'Elia, a member in good standing
of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of:

Michael Salvatore Zullo, Esq.
Duane Morris LLP
30 South 17th Street
Philadelphia, PA 19103 – 4196
(215) 979 – 1178 (TEL)
(215) 979 – 1020 (FAX)

Michael Salvatore Zullo, Esq. is a member in good standing of the Bar of the
Commonwealth of Pennsylvania and the State of New Jersey. There are no pending disciplinary
proceedings against Michael Salvatore Zullo, Esq. in any State or Federal Court.

Dated: January 14, 2011
New York, New York


Respectfully submitted,

By: 
Justin Joseph D'Elia
Duane Morris LLP
1540 Broadway
New York, NY 10036-4086
(212) 692 – 1000 (tel)
(212) 692 – 1020 (fax)
Attorneys for Defendant

5. Wherefore your affiant respectfully submits that he be permitted to appear as counsel and advocate pro hac vice in this one case.

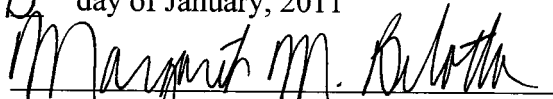
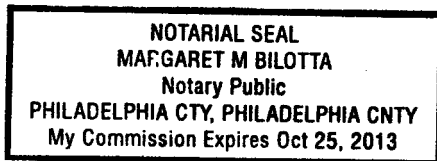
Dated: January 13, 2011
Philadelphia, PA

Respectfully submitted,



Michael S. Zullo
Duane Morris LLP
30 South 17th Street
Philadelphia, PA 19103-4196
Tel.: (215) 979-1178
Fax: (215) 689-4966
MSZullo@duanemorris.com

Sworn to before me this
13th day of January, 2011


Notary Public

Supreme Court of New Jersey

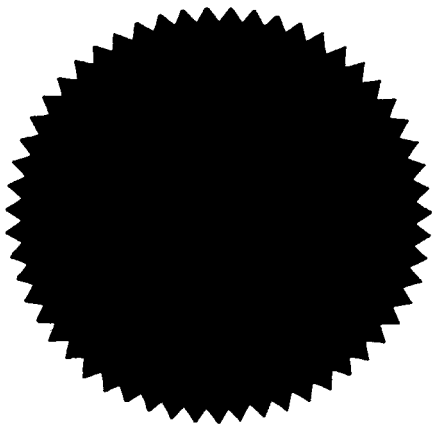


Certificate of Good Standing

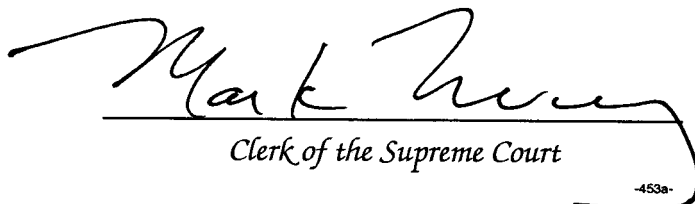
This is to certify that **MICHAEL SALVATORE ZULLO**
(No. **032882003**) *was constituted and appointed an Attorney at Law of New Jersey on* **January 28, 2004** *and, as such, has been admitted to practice before the Supreme Court and all other courts of this State as an Attorney at Law, according to its laws, rules, and customs.*

I further certify that as of this date, the above-named is an Attorney at Law in Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing" if the Court's records reflect that the attorney: 1) is current with all assessments imposed as a part of the filing of the annual Attorney Registration Statement, including, but not limited to, all obligations to the New Jersey Lawyers' Fund for Client Protection; 2) is not suspended or disbarred from the practice of law; 3) has not resigned from the Bar of this State; and 4) has not been transferred to Disability Inactive status pursuant to Rule 1:20-12.

Please note that this Certificate does not constitute confirmation of an attorney's satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to practice law in this State.



*In testimony whereof, I have
hereunto set my hand and
affixed the Seal of the
Supreme Court, at Trenton, this
29TH day of December, 20 10*


Clerk of the Supreme Court



Supreme Court of Pennsylvania

CERTIFICATE OF GOOD STANDING

Michael Salvatore Zullo, Esq.

DATE OF ADMISSION

November 26, 2003

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.

Witness my hand and official seal

Dated: January 12, 2011

A handwritten signature in cursive script, reading "Patricia A. Johnson".

Patricia A. Johnson
Chief Clerk



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GARY CRUZ, Individually and on behalf
of all others similarly situated,

Plaintiff,

v.

TD BANK, NA,

Defendant.

:
:
: CIVIL ACTION NO.
: 10 – CV – 8026 (PKC)
:
: **AFFIDAVIT OF**
: **JUSTIN JOSEPH D’ELIA**
: **IN SUPPORT OF MOTION**
: **TO ADMIT COUNSEL**
: **PRO HAC VICE**
:

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

JUSTIN JOSEPH D’ELIA, being duly sworn, deposes and says:

1. I am an attorney with the firm of Duane Morris LLP, attorneys for defendant, TD Bank, NA, herein. I submit this affidavit based on my personal knowledge and in support of defendant’s motion to admit Michael S. Zullo as counsel pro hac vice to represent defendant TD Bank, NA in this matter.

2. I was admitted to practice law in the State of New York on February 27, 2006 and am a member in good standing of the Bar of the State of New York. On August 11, 2006, I was admitted to the Bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. Michael S. Zullo is an attorney who practices law in Philadelphia, Pennsylvania. He is associated with the firm Duane Morris LLP. Mr. Zullo has experience in regulatory compliance, and commercial contract and business tort claims.

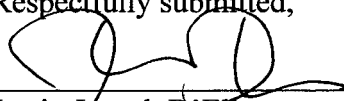
4. I believe Mr. Zullo to be a skilled attorney and person of integrity. He is familiar with the Federal Rules of Civil Procedure and has had experience litigating in federal courts.

5. Based on the facts set forth above, I move for the admission of Michael S. Zullo, pro hac vice. A proposed order granting the admission of Michael S. Zullo, pro hac vice is annexed hereto as Exhibit A.

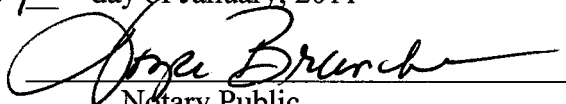
WHEREFORE, it is respectfully requested that the motion to admit Michael S. Zullo pro hac vice, to represent defendant, TD Bank, NA, in the above-entitled action be granted in all respects.

Dated: January 14, 2011
New York, NY

Respectfully submitted,


Justin Joseph D'Elia

Sworn to before me this
14th day of January, 2011


Notary Public

JOYCE BRANCHE
Notary Public, State of New York
No. 01BR4814964
Qualified in Nassau County
Commission Expires August 31, 2014

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GARY CRUZ, Individually and on behalf
of all others similarly situated,

Plaintiff,

v.

TD BANK, NA,

Defendant.

:
:
:
: CIVIL ACTION NO.
: 10 – CV – 8026 (PKC)
:

: **ORDER FOR ADMISSION**
: **PRO HAC VICE**
: **ON WRITTEN MOTION**
:
:

Upon the motion of Justin Joseph D’Elia, attorney for TD Bank, NA and said sponsor
attorney’s affidavit in support;

IT IS HEREBY ORDERED that

Michael Salvatore Zullo, Esq.
Duane Morris LLP
30 South 17th Street
Philadelphia, PA 19103 – 4196
(215) 979 – 1178 (TEL)
(215) 689 – 4966 (FAX)
Email: MSZullo@duanemorris.com

is admitted to practice pro hac vice as counsel for TD Bank, NA in the above captioned case in
the United States District Court for the Southern District of New York. All attorneys appearing
before this Court are subject to the Local rules of this Court, including the Rules governing
discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system,
counsel shall immediately apply for an ECF password at nysd.uscourts.gov.

An attorney admitted to practice pro hac vice is required to pay a \$25.00 attorney
admission fee and present this Order to the intake deputy clerk in the clerk’s Office. When
paying by mail, return a copy of this Order to the Clerk’s Office with the required fee.

This Order confirms your appearance as counsel in this case, and it will be entered on the Court's docket. A notation of your admission pro hac vice for the above listed case will be made on the roll of attorneys.

The attorney admitted pro hac vice must serve a copy of this Order on all other counsel in this case.

Dated: January __, 2011
New York, New York

United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
GARY CRUZ, Individually and on behalf
of all others similarly situated,

Civil Action No.
10-cv-8026 (PKC)

Plaintiff,

-against-

TD BANK, NA,

Defendant.

AFFIDAVIT OF SERVICE

-----X
STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

JOYCE BRANCHE, being duly sworn, deposes and says:

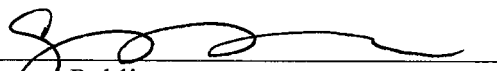
1. I am employed by the firm of Duane Morris LLP.
2. I am over 18 years of age, reside in Massapequa, New York and am not a party to this action.
3. On January 14, 2011, I caused to be served a true copy of a MOTION TO ADMIT COUNSEL PRO HAC VICE and attached documents, by regular mail, depositing the same in an official depository maintained and exclusively controlled by the United States Postal Service, properly enclosed in a postpaid wrapper, addressed to the following:

G. Oliver Koppell
Law Offices of G. Oliver Koppell & Associates
99 Park Avenue, 3rd Floor
New York, New York 10016

Charles Juntikka
Charles Juntikka & Associates, LLP
350 Fifth Avenue, Suite 2212
New York, New York 10118


Joyce Branche

Sworn to before me this
14th day of January, 2011


Notary Public

DM1\2467653.1

